

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL JESSMAN, :
Plaintiff, : 1:21-cv-0494
: :
v. : Hon. John E. Jones III
: :
SCHUYLKILL COUNTY PRISON, :
et al., :
Defendants. :
:

ORDER

April 8, 2021

NOW THEREFORE, upon consideration of Plaintiff's Complaint (Doc. 1), and in accordance with the Court's Memorandum of the same date, it is hereby ORDERED that:

1. Plaintiff's Application for Leave to Proceed *In Forma Pauperis* (Doc. 2) is GRANTED.
2. Plaintiff's complaint is DEEMED filed.
3. Plaintiff shall pay the full filing fee, based on the financial information provided in the Application for Leave to Proceed *In Forma Pauperis* and the certified Prisoner Trust Fund Account Statement. (Doc. 6). The full filing fee shall be paid regardless of the outcome of the litigation.
4. Pursuant to 28 U.S.C. § 1915(b)(1) and (2), the Superintendent/Warden, or other appropriate official at Plaintiff's place of confinement is directed to deduct an initial partial filing fee of 20% of the greater of:
 - (A) the average monthly deposits in the inmate's prison account for the past six months, or

(B) the average monthly balance in the inmate's prison account for the past six months.

The initial partial filing fee shall be forwarded to the Clerk of the United States District Court for the Middle District of Pennsylvania, P.O. Box 1148, Scranton, Pennsylvania, 18501-1148, to be credited to the above-captioned docket number. In each succeeding month, when the amount in Plaintiff's inmate trust fund account exceeds \$10.00, the Superintendent/Warden, or other appropriate official, shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Plaintiff's inmate trust fund account until the fees are paid. Each payment shall reference the above-captioned docket number.

5. The Clerk of Court shall SEND a copy of this Order to the Superintendent/Warden of the institution where Plaintiff is presently confined.
6. Plaintiff's complaint (Doc. 1) is DISMISSED with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
7. The Clerk of Court is directed to CLOSE this case.
8. Any appeal from this Order is deemed frivolous and not in good faith. *See* 28 U.S.C. § 1915(a)(3).

s/ John E. Jones III
John E. Jones III, Chief Judge
United States District Court
Middle District of Pennsylvania